



Maine Department of Environmental Protection (DEP)
Maine Department of Agriculture, Food and Rural Resources (DAFRR)
**Application for Maine Pollutant Discharge Elimination
System Permit/Maine Waste Discharge License
And Livestock Operating Permit
Concentrated Animal Feeding Operation (CAFO)**

Regulatory requirements for the preparation and filing of applications may be found in Chapters 2, 521 and 522 of the DEP's rules and Chapter 565 of DAFRR rules.

GENERAL INSTRUCTIONS

1. This general form is to be used to make application for the discharge of pollutants to the surface waters and or ground waters of the State by obtaining a Maine Pollutant Discharge Elimination System (MEPDES) permit from DEP and a Livestock Operating Permit from DAFRR.
2. Applicants are responsible for publishing public notice of their application at the time it is filed with the DEP and DAFRR.
3. For a proposed new discharge of waste water of more than 25,000 gallons per day or a project involving licenses from more than two bureaus in DEP, an applicant must conduct a public informational meeting before submitting an application to the Department.
4. In some circumstances an applicant must have a pre-application or pre-submission meeting with the DEP and or DAFRR prior to filing of an application.
5. At the time an application is filed with the DEP and DAFRR, a copy must be provided to the municipal office and notice provided to all abutters by certified mail.
6. Application fees must be paid at the time an application for a new discharge license/permit or livestock operating permit is filed with the DAFRR. For a license/permit from the DEP, the fee is \$122 and for a DAFRR permit the fee is \$50 for a facility with less than or equal to 1,000 animal units and \$200 for a facility with greater than 1,000 animal units. Separate checks for these amounts shall be made out to the Treasurer, State of Maine and shall accompany the application form upon filing. For existing discharges, DEP fees are charged on an annual basis and application fees are not required with an application for permit renewal.
7. Attach additional sheets as necessary in answering specific questions. Be sure to number each sheet to identify the question to which it pertains.
8. Failure to fully complete all required forms or to pay necessary application fees will result in the application being returned.

9. After completing the application, submit two (2) copies to the DAFRR at the following addresses:

Maine Department of Agriculture, Food and Rural Resources
Office of Agriculture, Natural and Rural Resources
Attn: Nutrient Management Division
28 State House Station
Augusta, Maine 04333-0028

10. Please read the entire application form before furnishing any information. If you need any assistance in filling out the form or required attachments, please contact the DAFRR at the above address or by calling the DAFRR at (207) 287-1132.

This application is for:

New discharge ☐
Renewal ☐
Increased discharge ☐
Transfer of owner ☐
Modification ☐
Other: _____

If assigned:

MEPDES Permit number: ME _____

DEP Waste Discharge License number: W _____

DAFRR Livestock Operating Permit # _____

FACILITY AND APPLICANT INFORMATION

1. Farm Name: _____

2. Farm Location: _____
(Road Name) (Town)

3. Name of Potential Receiving Water(s): _____

4. Name of Owner: _____ Telephone: _____
Address: _____ e-mail: _____
Town: _____ State: _____ Zip: _____

5. Person to whom correspondence regarding this application should be sent (if different from owner)

Name: _____ Telephone: _____
Address: _____ e-mail: _____
Town: _____ State: _____ Zip: _____

6. Is this treatment facility or activity located on Indian Lands? ☐ Yes ☐ No

7. List other existing or required environmental permits needed for operation of the facility

Permit	Permit Number	Remarks
Sludge disposal or use		
Air emissions		
Hazardous waste		
Site location		
Underground Injection		
Other (specify)		
Other (specify)		

8. Nutrient Management Plan (NMP):

a. Does the farm have an approved (certified) NMP? ☐ Yes ☐ No

b. What is the expiration date of the NMP? _____

c. Who certified the NMP and what is their license number? _____

SUPPORTING MATERIALS AND REQUIRED ATTACHMENTS

9. ☐ Please check here if this is a new or transfer application. If checked, provide documentation of proof of title, right or interest in the property or properties on which manure spreading/storage, the treatment system and outfall pipes and structures are or will be located. A deed, lease or purchase agreement is required. If any part of the facility or outfall is located on property owned or controlled by another person, submit a copy of a lease, deed easements or other written agreements.

10. For **transfer applications only**, answer the following and skip to the Certification on page 6.

A. Name of current/former owner: _____

B. Describe any planned changes in the current discharge: _____

C. Provide a statement describing the technical and financial capacity to comply with the current permit conditions and applicable laws and rules.

11. Provide a topographic map (or other map if a topographic map is unavailable) extending one mile beyond the property boundaries of the farm, depicting the farm property boundaries and each of its structures and significant topographic features including, but not limited to; barn(s), manure storage pit(s), lagoon(s), stacking sites, surface water bodies, springs and drinking water wells.

12. If modification of an existing permit is being requested, attach a statement describing the nature of the modification and the reasons or circumstances necessitating the change.

TREATMENT AND DISCHARGE INFORMATION

Use attachments as necessary to provide details for each discharge point and treatment system.

- 13.
- a. Briefly describe current handling practices and treatment/storage facilities for process waste waters (such as equipment and animal wash downs, animal wastes and manure, parlor wastes, etc.) generated from the CAFO.
 - b. Are the treatment/storage facilities properly designed, constructed, maintained and operated to hold all process waste waters generated and all runoff associated with a 25 year, 24-hour rainfall event? Provide a narrative description to support an affirmative response. If not, provides a scope of work and schedule to do so.
 - c. Are more storage pit(s) designed to adequately store manure production for up to 180 days based on the current or proposed animal units? If not, provides a scope of work and schedule to do so.
 - d. Has a plan been prepared to dispose of animal carcasses in an emergency situation? If not, provide a scope of work and schedule to do so.

14. Describe each potential discharge location from lagoon(s) and or manure storage pit(s) including all overflows, bypasses, emergency discharge points, etc.

15. If this is a renewal application, please describe any modifications to the treatment and/or storage facilities since the last permit application was filed.

16. Are new or expanded treatment facilities or structures being proposed? ☐ Yes ☐ No
If yes, briefly describe a scope of work and schedule for new or proposed facilities.

CERTIFICATION

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision to assure that personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Additionally, by signing below, I certify that (1) notice of this application has been made by publication in _____ on or about _____ (a copy of the advertising form is included
(Name of Newspaper) (Date)

in this application) (2) notice and a copy of this application have been provided to the clerk of the municipality(ies) where the discharge and or manure spreading activity is located and (3) that the farm is being operated in compliance with a certified Nutrient Management Plan and 4) notice has been provided to owners of land abutting the farm where a discharge from a lagoon and or manure storage pit is possible. The forgoing steps have been taken in accordance with the instructions attached to this application and the provisions of DEP's Chapters 2, 521 and 522 rules and DAFRR's Chapter 565 rules.

By:

Signature: _____ Date: _____

Printed Name: _____

Title: _____

Phone #: _____

Assisting Parties. If the applicant has been assisted in preparing this application, the person assisting must sign below.

Signature: _____ Date: _____

Printed Name: _____ Telephone: _____

Affiliation: _____

Address: _____

Town: _____ State: _____ Zip: _____

Professional Registration or Certification: _____

See following pages for requirements on public notice, public meetings, pre-applications meetings and pre-submission meetings.

Instructions for providing notices of the application For all applications, the first 3 items must be completed. If the application is for a new discharge, you must also complete item 4.

1. Publication of Public Notice. Applicants for MEPDES permits and Livestock Operating Permits are required to publish a public notice that the application is being filed with the DAFRR. The notice must be published anytime within a 30-day period prior to the application being sent to the DAFRR. The notice should be published in the legal advertisement section of a daily or weekly newspaper having general circulation in the area where the discharge will occur. If the public notice is not published at the proper time or if the application is returned because it is incomplete, you may be asked to have the notice published *a* second time.

Using the form on the next page, fill in the blanks with the appropriate information. Strike out all of the items (CSO, multiple discharge sources, etc.) in the second paragraph that do not apply to your discharge. The form may then be sent to the newspaper that is to publish the notice. Additionally, include a copy of the form with the application filed with the DAFRR.

2. Notice to Abutters. Applicants are also required to send a copy of the public notice by certified mail to all abutting property owners to the farm where lagoon(s) and or manure storage pit(s) have the potential to discharge within the 30-day period prior to the application being filed with the DAFRR.
3. Notice to Municipal Office. Applicants are required to send a copy of the public notice by certified mail to the town or city clerk of each municipality where the discharge is located within the 30-day period prior to the application being filed with the DAFRR. Applicant must also file a copy of the application with each municipality.

After all required notices have been made, sign the statement on the Certification page of the application.

NOTICE OF INTENT TO FILE
Maine Pollutant Discharge Elimination System (MEPDES) Permit
Maine Waste Discharge License (WDL)
Livestock Operating Permit (LOP)

Please take note that, pursuant to 38 MRSA, Sections 413 and 414-A, and 7 M.R.S.A.

Section 4205 _____ of _____
(name) *(municipality)*

intends to file an application for a MEPDES permit/WDL and livestock operating permit with the Department of Environmental Protection (DEP) and Department of Agriculture, Food and Rural Resource (DAFRR) respectively. The application is for the operation of a concentrated animal feeding operation (CAFO) located in _____, Maine.
(municipality)

The application will filed on or about _____ and will be available for public
(date)

inspection at DEP's and DAFRR's Augusta office during normal business hours. A copy may also be seen at the municipal offices in _____.
(municipality)

A request for a public hearing or request that the Board of Environmental Protection (Board) assume jurisdiction over the MEPDES permit/WDL application must be received by the DEP, in writing, no later than 20 days after the application is found acceptable for processing, or 30 days from the date of this notice, whichever is longer. Unless otherwise provided by law, a hearing is discretionary and may be held if the Commissioner of the DEP or the Board finds significant public interest or there is conflicting technical information. Requests shall state the nature of the issue(s) to be raised

A written request for a public hearing on the application for the LOP must be submitted to the Commissioner of the DAFRR no later than 20 days after the application is found acceptable for processing, or 30 days from the date of this notice, whichever is longer.

During the time specified above, persons wishing to receive copies of draft permits-when available, may request them from DEP and or DAFRR. Persons receiving a draft permit shall have 30-days in which to submit comments or to request a public hearing on the draft permits.

Public comment will be accepted until a final administrative action is taken to approve, approve with conditions or deny this application. Written public comments or requests for information may be made to the Division of Water Resource Regulation, Department of Environmental Protection, State House Station #17, Augusta, Maine 04333-0017 at (207) 287-3901 and the DAFRR at the Office of Agriculture, Natural and Rural Resources, Nutrient Management Division, 28 State House Station, Augusta, Maine 04333-0028 at (207) 287-1132.

Pre-application meetings. Pre-application meetings between the applicant and the DAFRR are an opportunity for the applicant to determine the statutory and regulatory requirements that apply to a specific project and to identify DAFRR staff assigned to the application. The purpose of these meetings is to identify issues, processing times, fees and the types of information and documentation necessary for the Department to properly assess the project. The applicant shall consult the appropriate DAFRR staff to determine what information the applicant must provide before or during a pre-application meeting. Any applicant may request a pre-application meeting. The DAFRR shall make a date available for the meeting as expeditiously as possible. The DAFRR shall prepare a written summary of all pre-application meetings.

For MEPDES permits, pre-application meetings are required prior to submission of or acceptance by the Department of an application for activities requiring new or amended licenses involving more than two bureaus.

Pre-submission meetings. Pre-submission meetings between the applicant and the DAFRR occur after the applicant has finished preparing the application for submission. These meetings are an opportunity to review the assembled application to ensure that the necessary information has been included prior to filing the application with the DAFRR.

For MEPDES permits, a pre-submission meeting is required prior to submission of or acceptance by the DEP of an application that has been previously rejected by the DEP (see Chapter 2, Section 7-B of the Department's rules).

Waivers. The requirement of a pre-application or pre-submission meeting may be waived by written notice from the DEP or DAFRR and agreement by the applicant. The DEP and or the DAFRR will agree to waive a pre-application or pre-submission meeting if the DEP and or DAFRR is satisfied that such a meeting would be of no value in achieving the purposes noted above.